

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

|                          |                   |
|--------------------------|-------------------|
| EQUAL EMPLOYMENT         | )                 |
| OPPORTUNITY COMMISSION,  | ) Civil Action    |
|                          | ) No. 06-CV-04332 |
| Plaintiff                | )                 |
|                          | )                 |
| vs.                      | )                 |
|                          | )                 |
| TURKEY HILL DAIRY, INC., | )                 |
|                          | )                 |
| Defendant                | )                 |

O R D E R

NOW, this 8<sup>th</sup> day of August, 2007, upon consideration of Defendant's Motion to Dismiss filed on November 14, 2006; upon consideration of Plaintiff EEOC's Memorandum of Law in Opposition to Defendant, Turkey Hill Dairy, Inc.'s Motion to Dismiss Pursuant to Rule 12(b)(6), which memorandum was filed on November 28, 2006; upon consideration of the briefs of the parties; and for the reasons articulated in the accompanying Memorandum,

IT IS ORDERED that Defendant's Motion to Dismiss is denied.

IT IS FURTHER ORDERED that defendant shall have until on or before August 31, 2007 to answer plaintiff's Complaint.

BY THE COURT:

/s/ JAMES KNOLL GARDNER  
James Knoll Gardner  
United States District Judge